

Docket No.: 5999-0524PUS3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Helena GYBACK et al.

Application No.: 10/766,948

Confirmation No.: 2491

Filed: January 30, 2004

Art Unit: 1624

For: NEW METABOTROPIC GLUTAMATE
RECEPTOR COMPOUNDS

Examiner: Z. C. Tucker

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FINAL REJECTION)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

☒ Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent literature are included.

III. CONCISE EXPLANATION OF THE RELEVANCE

(Check at least one box)

- ☐ a. DOCUMENTS IN THE ENGLISH LANGUAGE - The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.
- ☐ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:
- ☐ c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).
- ☐ d. OTHER - The following additional information is provided for the Examiner's consideration.

THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d): After the mailing date of a Final Action under § 1.113. See the Statement Under 37 C.F.R. § 1.97(e).

IV. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

- ☐ a. **Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or**

☒ b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

☐ d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

V. PAYMENT OF FEES (check one box)

☒ The required fee is listed on the attached Fee Transmittal.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for

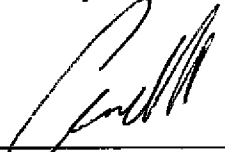
Application No.: 10/766,948

Docket No.: 5999-0524PUS3

any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 6, 2007

Respectfully submitted,

By 

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Attachment(s):

- ☒ PTO-SB08
- ☒ Documents
- ☐ Foreign Search Report
- ☒ Fee
- ☐ Other:

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/766,948-Conf. #2491
				Filing Date	January 30, 2004
				First Named Inventor	Helena GYBACK
				Art Unit	1624
				Examiner Name	Z. C. Tucker
Sheet	1	of	2	Attorney Docket Number	5999-0524PUS3

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	BA	WO-9705252-A2	02-13-1997		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Kikuchi et al, J. Med. Chem. 2000, 43, 409-419. Synthese and Structure-Activity Relationships of 5,6,7,8-Tetrahydro-5,5,8,8-tetramethyl-2-quinoxaline Derivatives with Retinoic Acid Receptor a Agonistic Activity.	
	CB	Jones et al, J. Med. Chem. 1998, 41, 3062-3077. Synthese and Structure-Activity Relationships of 2-Pyrazinylcarboxamido-benzoates and B-Ionylideneacetamidobenzoates with Retinoidal Activity	
	CC	Schoepp et al., Trends Pharmacol. Sci. 14:13 (1993)	
	CD	Schoepp, Neurochem. Int. 24:439 (1994)	
	CE	Pin et al., Neuropharmacology 34:1 (1995)	
	CF	Bordi and Ugolini, Prog. Neurobiol. 59:55 (1999)	
	CG	Nakanishi, Neuron 13:1031 (1994)	
	CH	Knopf et al., J. Med. Chem. 38:1417 (1995)	
	CI	Pin et al., PNAS 89:10331 (1992)	
	CJ	Minakami et al., BBRC 199:1136 (1994)	
	CK	Joly et al., J. Neurosci. 15:3970 (1995)	
	CL	Baskys, Trends Pharmacol. Sci. 15:92 (1992)	
	CM	Watkins et al., Trends Pharmacol. Sci. 15:33 (1994)	
	CN	Bashir et al., Nature 363:347 (1993)	
	CO	Bortolotto et al., Nature 368:740 (1994)	
	CP	Aiba et al., Cell 79:365 (1994)	
	CQ	Aiba et al., Cell 79:377 (1994)	
	CR	Meller et al., Neuroreport 4:879 (1993)	
	CS	Bordi and Ugolini, Brain Res. 871:223 (2000)	
	CT	Cunningham et al., Life Sci. 54:135 (1994)	
	CU	Hollman et al., Ann. Rev. Neurosci. 17:31 (1994)	
	CV	Spooren et al., Trends Pharmacol. Sci. 22:331 (2001)	
Examiner Signature			Date Considered

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Art Unit	1624
				Examiner Name	Z. C. Tucker
Sheet	2	of	2	Attorney Docket Number	5999-0524PUS3

	CW	Gasparini et al. Curr. Opin. Pharmacol. 2:43 (2002)	
	CX	Neugebauer Pain 98:1 (2002)	
	CY	Holloway & Dent (1990) Gastroenterol. Clin. N. Amer. 19, pp. 517-535	
	CZ	Vippagunta et al. "Crystalline Solids", Advanced Drug Delivery Reviews, 48 (2001), 3-26	
	CA1	Gavezzotti, "Are crystal structures predictable?" Accounts of Chemical Research, 27 (1994), 309-314	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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